

UT20 Rec'd PCT/PTO 11 JUL 2003

PATENT

Attorney Docket No. 508-042.008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERe Application of: **M. BURA et al.** : International Application No. **PCT/GB00/02224**Serial No.: **10/018,621** : International Filing Date: **December 28, 2000**Filed: **December 17, 2001** : Art Unit: **Not Yet Assigned**For: **BRIDGE JOINT**

Commissioner for Patents
Mail Stop PCT
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

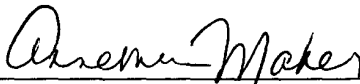
ATTENTION: Debra Brittingham
PCT Legal Office

REQUEST FOR RECONSIDERATION ON THE MERITS
IN RESPONSE TO DECISION ON PETITION UNDER 37 CFR §1.47(a)

Sir:

On May 8, 2003, a Decision on Petition Under 37 CFR §1.47(a) was rendered by the United States Patent and Trademark Office in response to the Declaration and Petition filed

I hereby certify that this correspondence is being deposited with the United States Postal Service today, **July 8, 2003**, in an envelope with sufficient postage as first-class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Annemarie Maher

RECEIVED**28 JUL 2003**

Legal Staff
International Division

under 37 CFR §1.47(a) on August 8, 2002, to accept the above-identified application without signature of co-inventor Michael J. Bura. As set forth in the Decision on Petition, it is stated that with respect to item number 2 (that is, factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort) that “applicants have not provided any proof that the missing joint inventors refused to sign or cannot be reached after diligent effort.”¹ In particular, the Decision states that the statement by Mr. Brooks did not show first-hand knowledge of the facts recited therein and that applicants did not furnish any documentation to indicate that non-signing inventor Bura was ever provided with a copy of the entire application in an effort to get his signature.

In response to these objections, applicant attaches an executed statement by co-inventor Seamus Devlin, which sets forth facts showing first-hand knowledge that Mr. Devlin tried to contact Mr. Bura to obtain his signature on the Declaration and that this Declaration accompanied a copy of the entire U.S. Patent Application No. 10/018,621 filed on December 17, 2001. It also details Mr. Devlin’s efforts to telephone and to write to Mr. Bura, as well as information that Mr. Devlin later received concerning the reasons why he was unable to reach Mr. Bura.

It is respectfully submitted that the accompanying statement of Seamus Devlin provides the proof that missing joint inventor Michael Bura cannot be reached after diligent effort and further provides proof to indicate that Mr. Bura was provided or attempted to be provided a copy of the entire application in an effort to obtain his signature to the patent Declaration.

It is therefore respectfully submitted that the Petition under 37 CFR §1.47(a) to accept the application without the signature of co-inventor Michael J. Bura should be granted, and such action is earnestly solicited.

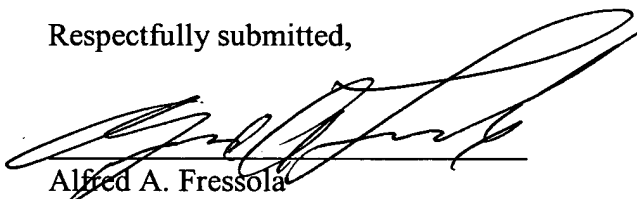
¹ Item (2) as set forth in the DISCUSSION section of the Decision on Petition is the only item not properly provided by applicant’s attorney.

It is believed that no fee is due for submitting this paper. However, if any fee should be due with submission of this paper, the Commissioner is hereby authorized to charge our deposit account, number 23-0442.

Respectfully submitted,

Dated: July 8, 2003

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DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR

NOTE: Complete either these facts or the facts as to REFUSAL OF NONSIGNING INVENTOR TO SIGN APPLICATION PAPERS.

NOTE: In addition to a recitation of these efforts, which must have been made before the application was deposited in PTO, copies of documentary evidence such as letters, telegrams, responses, etc. that support a finding that a nonsigning inventor could not be found or reached should, if available, be made part of the declaration. It is important that the affidavit or declaration contain statements of fact as opposed to M.P.E.P. § 409.03(c), 7th ed. conclusions.

I have worked with Mick Bura for many years at Vexcolt (UK) Ltd


Last year I moved the business from Hampshire down to Devon but Mick Bura did not accompany me. He received a significant inheritance from his father and went off to enjoy this.

I have not heard from him since then.

When I was contacted by my Patent Agent, Nigel Brooks, regarding the signing of the declaration and Assignment necessary for this US application, I tried to contact Mick Bura to obtain his signature to the Declaration and Assignment accompanying a copy of the entire US patent Application Serial no. 10/018,621 filed 17th December 2001. In particular I telephoned and wrote to his last known address and contacted several mutual friends. He had left his old address without leaving a forwarding address and none of our mutual friends knew how to contact him.

From some of these friends I have now heard that he is currently in Thailand and been there for more than a year. None of these friends know how to contact him.

1st July 2003


SEAMUS DEULIN

(use Supplemental Page(s), if necessary)

Date: 1st July 2003


Signature of person making statement

☐ Plus _____ Added Page(s)

(Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor [1-5]—page: 5 of 5)